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General Assembly

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Agenda item 19

Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/528)*]

57/135. Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 56/69 of 10 December 2001,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro to the proposals of the Secretary-General of the United Nations and the Chairman of the Assembly of Heads of State and Government of the Organization of African Unity in the context of their joint mission of good offices,

Recalling further all resolutions of the General Assembly and the Security Council on the question of Western Sahara,

Recalling Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, by which the Council approved the settlement plan for Western Sahara,[1]

Recalling also Security Council resolution 1359 (2001) of 29 June 2001, as well as resolution 1429 (2002) of 30 July 2002, in which the Council stressed the need for reaching a political solution to the dispute,

Reaffirming the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan,

Noting with satisfaction the entry into force of the ceasefire in accordance with the proposal of the Secretary-General, and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,

[1] See S/21360 and S/22464 and Corr.1.

Noting also with satisfaction the agreements[2] reached by the two parties during their private direct talks aimed at the implementation of the settlement plan and the acceptance by the two parties of the detailed modalities for the implementation of the Secretary-General's package of measures relating to the identification of voters and the appeals process, and stressing the importance it attaches to a full, fair and faithful implementation of the settlement plan and the agreements aimed at its implementation,

Noting that, despite the progress achieved, difficulties remain in the implementation of the settlement plan,

Noting also the fundamental differences between the parties in implementing the main provisions of the settlement plan,

Stressing that the lack of progress in the settlement of the dispute on Western Sahara continues to cause suffering to the people of Western Sahara, remains a source of potential instability in the region and obstructs the economic development of the Maghreb region and that, in view of this, the search for a political solution is critically needed,

Welcoming the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution which will provide for self-determination for the people of Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[3]

Having also examined the report of the Secretary-General,[4]

1. *Takes note* of the report of the Secretary-General;[4]

2. *Commends* the Secretary-General and his Personal Envoy for their outstanding efforts and the two parties for the spirit of cooperation they have shown in the support they provide for those efforts;

3. *Takes note* of the agreements[2] reached between the Kingdom of Morocco and the Frente Popular para la Liberacion de Saguia el-Hamra y de Rio de Oro for the implementation of the settlement plan[1] during their private direct talks under the auspices of James Baker III, the Personal Envoy of the Secretary-General, and urges the parties to implement those agreements fully and in good faith;

4. *Urges* the two parties to implement faithfully and loyally the Secretary-General's package of measures relating to the identification of voters and the appeals process;

5. *Reaffirms* the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan;

6. *Reiterates its support* for further efforts of the Secretary-General for the organization and supervision by the United Nations, in cooperation with the African

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[2] S/1997/742 and Add.1.

[3] A/57/23 (Part II), chap. IX. For the final text, see *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 23*.

[4] A/57/206.

Union,[5] of a referendum for self-determination of the people of Western Sahara that is impartial and free of all constraints, in conformity with Security Council resolutions 658 (1990) and 690 (1991), by which the Council approved the settlement plan;

7. *Notes* the fundamental differences between the parties in implementing the main provisions of the settlement plan;

8. *Supports* the efforts undertaken by the Secretary-General and his Personal Envoy to reach a political solution to the dispute on Western Sahara which will provide for self-determination for the people of Western Sahara;

9. *Urges*, in this regard, the two parties to continue their cooperation with the Secretary-General and his Personal Envoy with a view to reaching a mutually acceptable political solution to this dispute;

10. *Takes note* of the relevant resolutions of the Security Council, including resolutions 1349 (2001) of 27 April 2001 and 1359 (2001) of 29 June 2001 as well as resolution 1429 (2002) of 30 July 2002;

11. *Calls upon* the parties to cooperate with the International Committee of the Red Cross in its efforts to solve the problem of the fate of people unaccounted for, and calls upon the parties to abide by their obligation under international humanitarian law to release without further delay all those held since the start of the conflict;

12. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the implementation of the settlement plan, and to report thereon to the General Assembly at its fifty-eighth session;

13. *Invites* the Secretary-General to submit to the General Assembly at its fifty-eighth session a report on the implementation of the present resolution.

73rd plenary meeting
11 December 2002

[5] On 8 July 2002, the Organization of African Unity ceased to exist and, in its place, the African Union came into force on 9 July 2002.